

BOARD ACTION
APRIL 5, 2005

APPROVED	TAB 1 Minutes of: February 22, 2005 (Regular Meeting), as presented. February 28, 2005 (Special Meeting), as corrected. March 1, 2005 (Regular Meeting), as presented.	WATKINS
ACKNOWLEDGED RECEIPT	TAB 2.1 Request to acknowledge receipt of list of checks or warrants paid prior to this meeting, pursuant to Chapter 136.06(1) of the Florida Statutes, which shall be incorporated into the Minutes as attached Exhibit A and filed in the Board Support Division of the Clerk's Office.	WATKINS
APPROVED	TAB 2.2 Request from Administrative Services/Records Storage Facility to remove two Canon Microfilm Scanner 400, serial numbers AB301314 and AB305547, from fixed assets and donate both scanners to the Orange County School Board. Both scanners were declared surplus in June 2004. Request approval of deletion of fixed assets, \$14,990.26, and donation of items to the Orange County School Board.	WATKINS
ACKNOWLEDGED RECEIPT	TAB 2.3 Monthly Distribution of Revenue Traffic/Criminal Cases, Month Ending 28 February 2005. Disbursements due to Board: \$145,443.72. Same period, last year: \$225,107.20.	WATKINS
ACKNOWLEDGED RECEIPT	TAB 2.4 Before the Florida Public Service Commission, Notice of Commission Hearing and Prehearing to Progress Energy Florida, Inc., Office of Public Counsel, Florida Industrial Power Users Group, Buddy L. Hansen, Sugarmill Woods Civic Association, Inc. and All Interested Persons, Docket Number 041272-EI, Petition for Approval of Storm Cost Recovery Clause for Recovery of Extraordinary Expenditures Related to Hurricanes Charley, Frances, Jeanne, and Ivan, by Progress Energy Florida, Inc. (for dates of hearings, see backup).	WATKINS
ACKNOWLEDGED RECEIPT	TAB 2.5 Received from the City of Tavares Ordinance 2005-05 Amending the boundaries of the City of Tavares by Annexing Approximately 7.58 Acres Located at 30205 State Road 19, and as further described, passed and ordained the 2 nd day of March 2005, by the City Council of the City of Tavares, Florida.	WATKINS

ACKNOWLEDGED RECEIPT	TAB 2.6. Received from the City of Fruitland Park – Ordinance 2004-029 – An Ordinance of the City Commission of the City of Fruitland park, Florida, Rezoning Approximately 1.5+/- Acres of Property Generally Located South of Spring Lake Road and West of Fair Oaks Drive, and more specifically described, passed and ordained the 13 th day of January 2005, by the City Commission of the City of Fruitland Park, Florida.	WATKINS
ACKNOWLEDGED RECEIPT	TAB 2.7 Received from the City of Groveland – Ordinance 2005-02-07 – An Ordinance Extending and Increasing the Corporate Limits of the City of Groveland, County of Lake, State of Florida, Pursuant to the Provisions of Florida Statute 171.044; Annexing 17+/- Acres of Lake County Thereto a Certain Area of Land Contiguous to and Not Embraced Within the Present Limits of the City of Groveland, Florida, etc., passed and ordained in regular session by the City Council of the City of Groveland, Lake County, Florida, the 21 st day of February 2005.	WATKINS
ACKNOWLEDGED RECEIPT	TAB 2.8 Unclaimed excess proceeds for tax deeds totaling \$51,514.64. Transfer funds from Clerk's account to the Board of County Commissioners' account.	WATKINS
ACKNOWLEDGED RECEIPT	TAB 2.9 Before the Florida Public Service Commission, In re: Joint application for approval of transfer of majority organizational control of Chateau Communities, Inc., grandparent of Del Tura Phase I, LLC d/b/a Del Tura Utilities, holder of Certificate Number 298-S in Lee County; CWS Communities LP d/b/a Palm Valley Utilities, holder of Certificate Numbers 277-W and 223-S in Seminole County; and CWS Communities LP, holder of Certificate Number 518-W in Lake County, to Hometown America, L.L.C. – Docket Number 030998-WS, Order Number PSC-05-0270-CO-WS, Issued March 11, 2005 – Consummating Order dated March 11, 2005.	WATKINS
APPROVED	TAB 3.1 Request from Budget - Budget transfer – General Fund, Non-Departmental, in the amount of \$2,268.00 is requested. Transfer \$2,268.00 from Reserve for Operations to Aids to Government Agencies. On March 15, 2005, the Board of County Commissioners approved a \$5,000.00 donation to the Florida World War II Memorial in Tallahassee. The Lake County World War II Commemorative Committee had given	FRAZIER

	\$2,821.71 to the County to be used for Veteran's Day activities, in particular those honoring World War II veterans. The remainder of this money (\$2,731.71) can be used for this donation. Additional funds are needed for the remainder of the donation for the memorial. Funds available in Reserve for Operations.	
APPROVED	TAB 3.2 Request from Budget for approval of Resolution 2005-36 to amend the General Fund in order to receive unanticipated revenue for Fiscal Year 2004/2005 in the amount of \$44,929.00 deposited into Voter Education and provide appropriations for the disbursement for voter education funds.	FRAZIER
APPROVED	TAB 3.3 Request from Budget for approval of Resolution 2005-37 to amend the Law Enforcement Trust Fund in order to receive unanticipated revenue for Fiscal Year 2004/2005 in the amount of \$37,578.00 deposited into Confiscated Property and provide appropriations for the disbursement of funds.	FRAZIER
APPROVED	TAB 3.4 Request from Budget for approval of Resolution 2005-38 to amend the General Fund in order to receive unanticipated revenue for Fiscal Year 2004/2005 in the amount of \$4,084.00 deposited into Insurance Proceeds/Loss Furniture/Fixtures/Equipment and provide appropriations for the disbursement of funds.	FRAZIER
APPROVED	TAB 4 Request from Community Services for approval of two minor amendments to the Federal Fiscal Year (FFY) 2004-2008 Consolidated Plan for uses of Community Development Block Grant funds and direct the Department of Community Services to forward the amendment to the U.S. Department of Housing and Urban Development.	SMITH
APPROVED	TAB 5 Request from Community Services for approval of an amendment to the Community Development Block Grant Partnership Agreement with Mid-Florida Community Services, Inc. and authorize the Chairman to sign the amendment and execute the amended contract.	SMITH
APPROVED	TAB 6 Request from Community Services for approval of Resolution 2005-39 authorizing the Director of Community Services to sign the Florida Department of Transportation reimbursement invoices due to the restructuring of the Transportation Disadvantaged Division.	SMITH

APPROVED	<p>TAB 7</p> <p>Request from Community Services for approval of Resolution 2005-40 authorizing the Director of Community Services to sign the Florida Commission for the Transportation Disadvantaged reimbursement invoices due to the restructuring of the Transportation Disadvantaged Division</p>	SMITH
APPROVED	<p>TAB 8</p> <p>Request from Community Services for approval of Resolution 2005-41 amending the Lake County Transportation Disadvantaged Fund in order to receive and distribute unanticipated revenue for Fiscal Year 2004-2005 in the amount of \$743,930 from non emergency Agency for Healthcare Administration (ACHA) Medicaid funding.</p>	SMITH
APPROVED	<p>TAB 9</p> <p>Request from Community Services for approval of Resolution 2005-42 to recognize the accomplishments of Lake County's volunteers and to declare the month of May 2005 as Volunteer Appreciation Month in Lake County. The Resolution will be presented on Tuesday, May 3, 2005, at the Twelfth Annual Volunteer Recognition and Reception.</p>	SMITH
APPROVED, AFTER BEING PULLED FOR DISCUSSION.	<p>TAB 10</p> <p>Request from Economic Development and Tourism for approval of a Real Estate Purchase and Sales Agreement between Lake County and Richard H. Langley, his successors or assigns, for a portion of Lot 37, Lake County Central Park Phase 2, and Lot 2, Home Depot Plat, both located in the Christopher C. Ford Commerce Park (approximately 122 acres) at a price of \$30,000.00 per acre.</p> <p>Note: In approving the request, the Board approved to remove Paragraph 4 on Page 3 of the Agreement.</p>	MIHALIC
APPROVED, AFTER BEING PULLED FOR DISCUSSION	<p>TAB 11</p> <p>Request from Economic Development and Tourism for approval of a Policy to authorize the County Manager to establish procedures for the reimbursement of expenses incurred in the promotion of Lake County by the employees in the Department of Economic Development and Tourism, and for the entertainment in relation to travel writers, brokers, and others connected with the tourism industry.</p> <p>Mr. Mihalic confirmed that reports will be submitted to the County Manager and to the Clerk of Courts for reimbursements.</p>	MIHALIC

	Mr. Mihalic will provide an overall detailed line item for the \$25,000 cap for the budget on an annual basis.	
APPROVED	TAB 12 Request from Economic Development and Tourism for approval of an Amendment to the Agreement between Lake County and Cramer-Krasselt for Tourist Development Advertising Services.	MIHALIC
APPROVED	TAB 13 Request from Economic Development and Tourism for approval of an award of \$93,000.00 from the Jobs Growth Investment Trust Fund to Southeast Fabricators for the creation of thirty-two positions paying at least \$14.34 an hour or higher.	MIHALIC
APPROVED	TAB 14 Request from Economic Development and Tourism for approval of an award of \$42,000.00 from the Jobs Growth Investment Trust Fund to Florida North Trucking for the creation of twenty-one new positions paying at least \$14.34 an hour or higher.	MIHALIC
APPROVED	TAB 15 Request from Employee Services for approval to accept and sign the Business Associate Agreement with Aon, our Benefits Consultant, in order to comply with the Federal Health Insurance Portability and Accountability Act (HIPAA) rules regarding privacy for our Self-Insured Group Health Plan.	WALL
APPROVED	TAB 16 Request from Environmental Services for approval to advertise ordinance for seven Board appointed seats on the County-wide Solid Waste Advisory Committee.	HARDY
APPROVED	TAB 17 Request from Growth Management for approval and execution of a Satisfaction and Release of Fine for property owned by Erick & Agnes McLeod, CEB Number 315-00	WELSTEAD
APPROVED	TAB 18 Request from Growth Management for approval and execution of a Satisfaction and Release of Fine for property owned by James & Karl Loper, CEB Number 2001030089.	WELSTEAD
APPROVED	TAB 19 Request from Procurement Services for approval to award the contract to Seating Constructors USA, Inc. to provide labor and materials to repair the grandstands at the Lake County Fairgrounds Arena in the amount of \$42,829.02 in accordance with the School Board of Brevard County Contract Number 04-007 / JO.	KAISER

APPROVED	<p>TAB 20 Request from Procurement Services for approval to declare the items on the attached lists surplus to County needs and authorize disposal as described; authorize the removal of all of the items on the attached lists from the County's official fixed asset inventory system records; and authorize the Procurement Services Director to sign the vehicle titles.</p>	KAISER
APPROVED	<p>TAB 21 Request from Procurement Services for approval to award the contract for Homeowner Counseling Services to Affordable Housing by Lake, Inc., in accordance with Bid/RFP Number 04-055, in the amount of \$25,000.00.</p>	KAISER
APPROVED	<p>TAB 22 Request from Public Works for approval and authorization to release a Letter of Credit for Performance in the amount of \$557,643.00; accept a Maintenance Bond in the amount of \$52,860.00; execute a Developer's Agreement for Maintenance of Improvements between Lake County and Shamrock Development; and execute Resolution 2005-43 accepting the following roads into the County Road Maintenance System: Wellington Lane (County Road Number 6549A), Winfield Court (County Road Number 6549B), and Meridian Circle (County Road Number 6549C) all relating to Grand Island Estates. Grand Island Estates consists of 47 lots – Commission District 4.</p>	STIVENDER
APPROVED	<p>TAB 23 Request from Public Works for approval to accept one Drainage Easement Deed; one Non-Exclusive Easement Deed; one Statutory Quitclaim Deed; two Statutory Warranty Deeds; and two Temporary Construction Easement/Perpetual Grading Easement Deeds that have been secured in conjunction with roadway and/or stormwater projects.</p>	STIVENDER
APPROVED	<p>TAB 24 Request from Public Works for approval and authorization to accept the final plat for Hartwood Reserve Phase I and all areas dedicated to the public as shown on the Hartwood Reserve Phase I final plat; accept a Performance Bond in the amount of \$2,568,363.34; and execute a Developer's Agreement for Construction of Improvements between Lake County and Levitt & sons, LLC. Hartwood Reserve Phase I consists of 183 lots – Commission District 2.</p>	STIVENDER
APPROVED	<p>TAB 25 Request from Public Works for approval and authorization to accept the final plat for Plantation at Leesburg, Tract G, Phase I, Glendale Village and all areas dedicated to the</p>	STIVENDER

	public as shown on the Plantation at Leesburg, Tract G, Phase I, Glendale Village plat. Plantation at Leesburg, Tract G, Phase I, Glendale Village consists of 114 lots – Commission District 3.	
APPROVED	TAB 26 Request from Public Works for approval and authorization to accept the final plat for Timberlane Phase I and all areas dedicated to the public as shown on the Timberlane Phase I final plat; accept a Performance Bond in the amount of \$349,149.83; and execute a Developer's Agreement for Construction of Improvements between Lake County and Banyan Homes for the Timberlane Plat. Timberlane Phase I consists of 64 lots – Commission District 2.	STIVENDER
APPROVED	TAB 27 Request from Public Works for approval and authorization to accept the final plat for Arrowtree Reserve Phase II Partial Replat and all areas dedicated to the public as shown on the Arrowtree Reserve Phase II Partial Replat plat. Arrowtree Reserve Phase II Partial Replat consists of six lots – Commission District 3.	STIVENDER
APPROVED	TAB 28 Request from Public Works for approval and authorization to accept the final plat for Heathrow Country Estate Homes – Estate Lots and all areas dedicated to the public as shown on the Heathrow Country Estate Homes – Estate Lots plat. Heathrow Country Estate Homes – Estate Lots consists of 23 lots – Commission District 4.	STIVENDER
APPROVED	TAB 29 Request from Public Works for approval and execution of Resolution 2005-44 facilitating the Reconstruction of CR-561 Paved Shoulders & Seawall Damage Caused by Hurricane Jeanne Project; execution of the Local Agency Program Agreement with the Florida Department of Transportation for the Reconstruction of CR-561 Paved Shoulders & Seawall Damage Caused by Hurricane Jeanne (FDOT FPN 418576-2-58-01 & 418576-2-68-02); and authorization to advertise for bids for the Reconstruction of CR-561 Paved Shoulders & Seawall Damage Caused by Hurricane Jeanne Project. Commission District 2.	STIVENDER
APPROVED	TAB 30 Request from Public Works for approval and execution of a Purchase Agreement with Professional Realty Advisors, Inc., Minnehaha Joint Venture and Langley Groves, Inc., for the South Clermont Connector Road Project, for right of way; and authorization for the Chairman of the Board of County	STIVENDER

	Commissioners to sign any and all documents necessary for closing, in conjunction with the South Clermont Connector Road Project, in the amount of \$600,000.00.	
APPROVED	TAB 31 Request from Public Works for approval to provide funding for the Lake County Rails to Trails project through the Capital Improvement Project program in the amount of \$10,000.00; and request the Chairman to sign two original agreements upon receipt.	STIVENDER
APPROVED	TAB 32 Request from Public Works for approval and authorization to accept the final plat for Grand Oak Estates and all areas dedicated to the public as shown on the Grand Oak Estates final plat; accept a Letter of Credit in the amount of \$34,933.62; and execute a Developer's Agreement for Construction of Improvements between Lake County and Charlie Johnson Builders, Inc. Grand Oak Estates consists of 40 lots – Commission District 3.	STIVENDER
APPROVED	TAB 33 Request from Public Works for approval and execution of a Purchase Agreement with Robert L. Bryan, Paul F. Bryan, Rebecca Bryan Dreisbach, and David C. Bryan, for right of way, and authorization for the Chairman of the Board of County Commissioners to sign any and all documents necessary for closing, in conjunction with the Twin Ponds Road Paving Project located in the Umatilla area, in the amount of \$14,640.00.	STIVENDER
APPROVED	TAB 34 Request from Public Works for approval and authorization to return funds for Construction of Improvements in the total amount of \$6,600.00 that were posted for Deer Island Club Parcel AA Replat.	STIVENDER
APPROVED	TAB 35 Request from Public Works for approval and signature on the Interlocal Agreement between Lake County and the City of Eustis for School Speed Zone Flasher Maintenance.	STIVENDER
APPROVED	ADDENDUM NO. 1 Request from Community Services for approval of Proclamation 2005-45 declaring April as “Child Abuse Prevention” month in Lake County, Florida, and that the presentation of the Proclamation will occur at the BCC meeting of April 19, 2005.	SMITH
	PRESENTATIONS Presentation of Award to Employees with Five Years of Service:	

	<p>Sasha Namundi, Plans Examiner II, Growth Management/Building Services</p> <p>Leslie R. Moore, Delivery Service Driver/Operator, Community Services/Library Services/Library</p> <p>George S. Dore, Librarian II, Community Services/Library Services/East Lake Library</p> <p>Truman E. McCall, II, Equipment Operator II, Public Works/Road Operations/Maintenance Area III</p> <p>William C. Cork, Jr., Firefighter/EMT, Public Safety/Fire and Rescue</p> <p>Noah W. Hollis, Jr., Firefighter/EMT, Public Safety/Fire and Rescue</p> <p>Donna R. Bohrer, Office Associate III, Growth Management/Current Planning</p> <p>Presentation of Award to Employees with Fifteen Years of Service:</p> <p>Sharon K. Horton, Office Associate II, Public Works/Road Operations/Maintenance Area I</p> <p>Louis A. LaFond, Equipment Operator III, Public Works/Road Operations/Maintenance Area I</p>	
APPROVED	<p>The Board approved to accept the resignation of Mr. William “Bill” Neron, County Manager, and approved nine months’ severance. (Three months, by splitting the difference of his contract from now to November 5, 2005, plus six months severance as called for in the contract.)</p>	
APPOINTED	<p>The Board appointed Mr. Sandy Minkoff, County Attorney, as Acting County Manager until the Board’s April 12, 2005, meeting which will have given the Chairman time to meet with Ms. Cindy Hall, Assistant County Manager, regarding Ms. Hall serving as Interim County Manager; and the Chairman will bring back a recommendation for compensation for Ms. Hall.</p> <p>(Note: A discussion of the County Manager’s six-month evaluation was on the agenda under Commr. Hill’s report section.)</p>	
APPROVED	<p>TAB 36</p> <p>PRESENTATION</p> <p>Approval and presentation of Proclamation 2005-46 declaring the Week of April 10 through 16, 2005 as National Library Week.</p> <p>Ms. Wendy Breeden, Library Services Director, announced</p>	HILL

	that the week long annual Lake County Festival of Reading will begin on April 16, 2005. The Festival will include author dinners, a bluegrass festival, author signings and other cultural events.	
APPROVED	<p>TAB 37 PUBLIC HEARING The Board approved Ordinance 2005-29 creating the Lake County Public Safety Coordinating Council.</p> <p>Recommendations for members will be brought to the Board at a later date for approval.</p> <p>Mr. Sandy Minkoff, County Attorney, commented that the Lake County Sheriff, who may become one of the members of the Council, might be able to accommodate the request of Mr. Ray Goodgame, Clermont City Council Member, regarding background and drug checks on everyone who is involved with youth in the parks and recreation programs, thereby taking that burden off the cities.</p>	MINKOFF
	<p>CITIZEN QUESTION AND COMMENT PERIOD</p> <p>Ms. Jewel Bledsoe, Secretary, Shockley Heights Community Club, Inc., addressed the Board regarding the community's support of going forward with an engineering study for a potential water system for the community.</p> <p>Mr. Roy Hunter, Northeast Lake Chamber of Commerce, expressed support for the Shockley Heights water project. Regarding transportation, he suggested that the Board ask staff members to meet with the School Board to discuss using school buses when they are not in use transporting children.</p> <p>Mr. Sandy Minkoff, County Attorney, informed the Board that a draft contract was sent to the transportation disadvantaged operator last week. He hopes to have an agreement to the Board on April 19, 2005. He stated that the cost will be significantly higher than previous contracts.</p> <p>At the suggestion of Commr. Cadwell, Mr. Minkoff stated that an update on transportation disadvantaged can be given to the Board during their workshop which is scheduled for Tuesday, April 12, 2005.</p> <p>Mr. Ray Goodgame, Clermont City Council Member,</p>	

	<p>referred to Tabs 24 and 26 regarding 247 new homes in our area which, he stated, will translate into more than 500 additional students. He asked the Board to consider instituting a 1.5% or 2% transfer fee on the sale of existing homes.</p> <p>Commr. Cadwell stated that the State Legislature would be willing to allow a transfer fee but the Legislature would set that transfer fee, and the County would have to give up impact fees.</p> <p>Regarding parks and recreation, Mr. Goodgame stated that the City of Clermont needs the Board's support and asked them to keep that in mind during the upcoming budget meetings.</p> <p>Mr. Travis Whigham, President of the Forest Hills Association and a member of the Northeast Lake Chamber of Commerce, agreed that older school buses could be used for transportation. He expressed his continuing support for a real estate transfer fee. Regarding schools, he stated that developers should have the entire burden of paying for a school and for maintaining it. Regarding County Road 46A, he asked that the giant pot holes be fixed before the widening and resurfacing project begins.</p>	
APPROVED	<p>TAB 38 Approval and execution of Resolution 2005-47 appointing Mr. Ray Goodgame, Clermont City Council Member, as a municipal elected official, to the Tourist Development Council to complete an unexpired term ending December 1, 2006.</p>	MINKOFF
APPOINTED	<p>TAB 39 Appointed Mr. Howard B. (Bob) Fox, Jr., to the vacant District 1 position on the Board of Adjustment to complete an unexpired term ending January 31, 2009.</p>	MINKOFF
APPROVED	<p>TAB 40 Approval of Interlocal Agreement with municipalities relating to formation of a Water Planning Alliance.</p> <p>Mr. Sandy Minkoff, County Attorney, explained that this creates a countywide group with all the cities for water planning. There are no obligations, financial or otherwise. The plan is to secure a grant from the St. Johns River Water Management District for a countywide water study. The City of Leesburg has agreed, for the first two years, to be the administrative head and provide the administrative services</p>	MINKOFF

	for the group.	
APPROVED	TAB 41 Approval and execution of Proclamation 2005-48 designating the week of April 9 through 16, 2005, as Crime Victims Week.	HILL
FOR YOUR INFORMATION	Commr. Cadwell reported that the Florida Association of Counties (FAC) held a Legislative Delegation day last week in Tallahassee with over 200 county commissioners. Finalist interviews will be held next week for the Executive Director of the FAC.	CADWELL
APPOINTED	After adding the item to the agenda, the Board appointed Ms. Ann Dupee to a vacancy on the Lake County Local Planning Agency (LPA). Mr. Sandy Minkoff, County Attorney, confirmed that the LPA is an advisory agency. Ms. Dupee is a member of the Tourist Development Council (TDC) but her appointment to the LPA will not create a dual-office-holding issue.	POOL
FOR YOUR INFORMATION	Commr. Stivender thanked sponsors, staff and others who helped with Lake County Day in Tallahassee. She gave special thanks to staff members Ms. Wendy Taylor and Mr. Greg Mihalic.	STIVENDER
FOR YOUR INFORMATION	Commr. Stivender stated that she received a Legislative Alert from Ms. Carol Bracy, Interim Executive Director, FAC, regarding bills restricting impact fees that are moving through both the Senate and the House. Commr. Cadwell advised that the Board members should keep the pressure up by individually faxing or e-mailing communications to legislators.	STIVENDER